

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

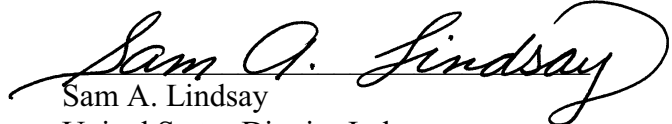
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|--------------------------|---|------------------------|
| UNITED STATES OF AMERICA | § | |
| | § | |
| v. | § | CASE NO: 3:09-CR-169-L |
| | § | |
| DONATO SANTAMARIA (01) | § | |

**ORDER ACCEPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE
CONCERNING PLEA OF GUILTY**

After reviewing all relevant matters of record, including the Notice Regarding Entry of a Plea of Guilty, the Consent of the Defendant, and the Report and Recommendation Concerning Plea of Guilty of the United States Magistrate Judge (“Report”), and no objections thereto having been filed within ten days of service in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge determines that the Report of the Magistrate Judge concerning the Plea of Guilty should be accepted. Based upon the Report of the Magistrate Judge, the court finds that Defendant is fully competent and capable of entering an informed plea, that he is aware of the nature of the charges and the consequences of the plea, and that his plea of guilty is a knowing and voluntary plea, supported by an independent basis in fact, containing each of the essential elements of the offenses. Accordingly, the court **accepts** the plea of guilty entered by Defendant Donato Santamaria on October 13, 2009, and he is hereby adjudged **guilty** of the offenses charged in counts one through six of the Indictment, which are violations of 21 U.S.C. § 841(a)(1) and (b)(1)(C), namely, Possession with Intent to Distribute and Distribution of Methamphetamine; 21 U.S.C. § 846, 841(a)(1) and (b)(1)(A), namely, Conspiracy to Possess with the Intent to Distribute in Excess of Five Hundred Grams of Methamphetamine; and under 18 U.S.C. § 924(c)(1)(A), namely, Possession of a Firearm During and

Relation to a Drug Trafficking Crime. Sentence will be imposed in accordance with the court's scheduling order.

It is so ordered this 29th day of October, 2009.


Sam A. Lindsay
United States District Judge